

or procurement affiant further states that as he is informed & believes all of the above named witnesses are necessary & material for him in the trial of this cause & that he expects to have the benefit of their testimony of all of them at the next term of this court & that this affidavit is not made for delay

swaren to & subscribed } Thos G. Dula
before me this 17 April 1867 }

C. G. Simmons C.R.

And at Fall Term 1867 of Indeple Superior Court the following record appears on the minutes of said Term to wit:

State	{	Murder } The prisoners being brought by Thomas Dula & Ann Mutton to the Bar of the Court.
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James Simmons Grecunda Gordon & J M M Grason witnesses for the State were called & failed, therefore judgment nisi was rendered against them for the sum of Eighty Dollars each.

On motion this cause was continued upon the part of the State upon the affidavit of Wilson Foster, for the want of the testimony of James Simmons Grecunda Gordon and J M M Grason,

The following is the affidavit to wit-

State	{	Murder } Superior Court of Law & Equity Fall Term 1867 -
by		
Thomas Dula & Ann Mutton		